



Reprinted  
February 16, 1999

---

---

## SENATE BILL No. 87

---

DIGEST OF SB 87 (Updated February 15, 1999 2:57 pm - DI 51)

**Citations Affected:** IC 35-44.

**Synopsis:** Trafficking with an inmate. Provides that the crime of trafficking with an inmate: (1) applies to a juvenile facility; and (2) includes the delivery or carrying of alcoholic beverages to an inmate work site.

**Effective:** July 1, 1999.

---

---

Wyss

---

---

January 6, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.  
February 11, 1999, reported favorably — Do Pass.  
February 15, 1999, read second time, amended, ordered engrossed.

---

---

SB 87—LS 6471/DI 51+



C  
o  
p  
y

Reprinted  
February 16, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## SENATE BILL No. 87

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-44-3-9 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) **As used in this**  
3 **section, "juvenile facility" means the following:**

4 (1) **A secure facility (as defined in IC 31-9-2-114) in which a**  
5 **child is detained under IC 31 or used for a child awaiting**  
6 **adjudication or adjudicated under IC 31 as a child in need of**  
7 **services or a delinquent child.**

8 (2) **A shelter care facility (as defined in IC 31-9-2-117) in**  
9 **which a child is detained under IC 31 or used for a child**  
10 **awaiting adjudication or adjudicated under IC 31 as a child**  
11 **in need of services or a delinquent child.**

12 (b) A person who, without the prior authorization of the person in  
13 charge of a penal facility **or juvenile facility** knowingly or  
14 intentionally:

15 (1) delivers, or carries into the penal facility **or juvenile facility**  
16 with intent to deliver, an article to an inmate **or child** of the  
17 facility; ~~or~~

SB 87—LS 6471/DI 51+



1 (2) carries, or receives with intent to carry out of the penal facility  
2 **or juvenile facility**, an article from an inmate **or child** of the  
3 facility; or  
4 **(3) delivers, or carries to a work site with the intent to deliver,**  
5 **alcoholic beverages to an inmate or child of a jail work crew**  
6 **or community work crew;**  
7 commits trafficking with an inmate, a Class A misdemeanor. However,  
8 the offense is a Class C felony if the article is a controlled substance or  
9 a deadly weapon.

C  
o  
p  
y



## COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill No. 87, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 87 as introduced.)

MEEKS R, Chairperson

Committee Vote: Yeas 10, Nays 0.

C  
o  
p  
y

SB 87—LS 6471/DI 51+



## SENATE MOTION

Mr. President: I move that Senate Bill 87 be amended to read as follows:

Page 1, line 17, strike "or".

Page 2, line 3, after ";" insert "**or**".

Page 2, between lines 3 and 4, begin a new line block indented and insert:

**"(3) delivers, or carries to a work site with the intent to deliver, alcoholic beverages to an inmate or child of a jail work crew or community work crew;"**.

(Reference is to SB 87 as printed February 12, 1999.)

BRAY

C  
o  
p  
y

